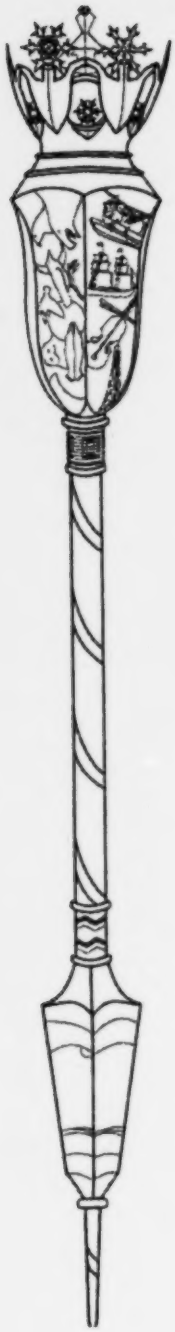
COMMITTEE REPORT NO. 17-14(6) TABLED ON OCT 0 1 2003



Northwest Territories Legislative Assembly

Standing Committee on Accountability and Oversight

Report on the Review of the Languages Commissioner's Annual Report 2001-2002

Chairperson: Mr. Charles Dent

105-00504/

Northwest Territories Legislative Assembly
Standing Committee on Accountability and Oversight

OCT 0 1 2003

THE HONOURABLE ANTHONY (TONY) WHITFORD, MLA
SPEAKER OF THE LEGISLATIVE ASSEMBLY

Mr. Speaker:

Your Standing Committee on Accountability and Oversight has the honour of presenting its Report on the Review of the Languages Commissioner's Annual Report 2001-2002, and commends it to the House.

Charles Dent, MLA
Chair

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Report on the Review of the Languages Commissioner's Annual Report 2001-2002

HISTORY

The *Official Languages Act* was passed by the Legislative Assembly of the Northwest Territories in 1984. The Act guarantees equal status for the use of Canada's two official languages for members of the public using government programs and services. The Act also officially recognized the Aboriginal languages spoken in the Northwest Territories.

In 1990 amendments to the Act gave greater status to northern Aboriginal languages and recognized the need to protect aboriginal culture through the promotion of the use of aboriginal languages. The 1990 amendments also included the creation of the position of the Languages Commissioner to be appointed by the Legislative Assembly for a term of four years.

REVIEW OF THE *OFFICIAL LANGUAGES ACT*

Section 29(1) of the Act required a review of the *Official Languages Act* following December 31, 2000. A Special Joint Committee was established in November of 2000 to examine the effectiveness of the current legislation to protect both Canada's official languages and the Aboriginal languages of the Northwest Territories. The Special Committee on the Review of the *Official Languages Act* (SCOL) presented its final report to the Legislative Assembly in March 2003, containing 64 recommendations accepted by the House.

LANGUAGES COMMISSIONER

According to Section 20(1) of the Act the duties of the Languages Commissioner are:

> ...to take all actions and measures within the authority of the Languages Commissioner with a view to ensuring recognition of the rights, status and privileges of each of the Official Languages and compliance with the spirit and intent of the Act in the administration of the affairs of government institutions, including any of their activities relating to the advancement of the aboriginal languages in the Territories.

The Commissioner has the authority to investigate any complaints made to her office or may initiate an investigation if it is warranted. The Commissioner may also issue opinions on complaints and make recommendations to institutions as she deems necessary. If, after a reasonable amount of time, the Commissioner's recommendations have not been acted upon by the institution the Commissioner may make a report to the Legislative Assembly.

The Commissioner is also required to submit an annual report to the Legislative Assembly. Mrs. Fibbie Tattie was appointed to the position of Languages Commissioner in July of 2000 and her term will expire in July of 2004.

ANNUAL REPORT 2001-2002

Ms. Tatti submitted her annual report for the year 2001-2002, which was tabled in the House on June 13, 2003. The Standing Committee on Accountability and Oversight met to review the report on August 28, 2003.

ADVISORY BOARD

During the review of the 2000-2001 annual report, the Standing Committee was informed that the Languages Commissioner had established a new Advisory Board in October of 2000. While there remains some question as to the legal capacity of this board the Standing Committee reviewed the board's recommendations contained within the 2001-2002 report.

RECOMMENDATIONS

The Standing Committee took note that some of the recommendations offered by the Languages Commissioner's advisory board differ from the recommendations of the Special Committee on the Review of the *Official Languages Act* . Given that the Special Committee had a clear mandate and legislative authority to investigate and review issues related to language promotion and enhancement in the Northwest Territories, and since the recommendations were adopted by the Legislative Assembly, the Standing Committee on Accountability and Oversight suggests SCOL's recommendations be given preference where the recommendations differ.

REVIEW OF LANGUAGES COMPLAINTS

In the last report on the review of the Languages Commissioner's Annual Report of 2000-2001, the Standing Committee had requested more information be provided on the nature of the languages complaints, the type of language involved in complaints, the location of complainants and the process used to mediate said complaints. The Standing Committee was disappointed to see that the Languages Commissioner's 2001-2002 Annual Report still contained very little information about the nature of languages complaints both from prior and present years. Without information with which to better understand the concerns being raised by the public, the Standing Committee is at a loss to assess the actions of the Commissioner. Once again, the Standing Committee will therefore defer to the recommendations made by the Special Committee in the hope of addressing some of the serious issues regarding the use of languages in the NWT.

CONCLUSION

The Standing Committee on Accountability and Oversight would like to thank the Languages Commissioner and her staff for her 2001-2002 Annual Report.